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*Pro hac vice applications pending

Attorneys for Defendant VF Outdoor, LLC d/b/a/ The North Face

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA**

JOHNATHAN TALBOT,

Plaintiff,

v.

MANOAH AINUU, *et al.*,

Defendants.

Case No. 2:23-cv-00066-BMM

AFFIDAVIT OF SETH D. BERLIN

I, Seth D. Berlin, being duly sworn, depose and say:

1. I am a partner at the law firm Ballard Spahr LLP.

2. I am a resident of the State of Maryland. My office address and contact information is as follows:

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3. The corresponding admission fee for this Application will be paid simultaneously with its filing.

4. I am proficient in electronic filing using PACER NextGen, including in the U.S. District Courts for the District of Columbia, the District of Maryland, and the Eastern, Southern, and Northern Districts of New York.

5. I am admitted to the following courts and jurisdictions:

STATE/COURT	ADMISSION DATE
<i>State Bar Admissions</i>	
Maryland	12/17/1991
District of Columbia	07/10/1992
New York	08/21/2001
<i>Supreme Court of the United States</i>	03/02/1998
<i>United States Courts of Appeal</i>	
for the 2 nd Circuit	11/05/2013
for the 4 th Circuit	10/25/1996
for the 5 th Circuit	11/5/2021
for the 9 th Circuit	03/08/1994
for the 11 th Circuit	11/30/2012
for the District of Columbia Circuit	10/31/1996
for the Armed Forces	07/07/2008

STATE/COURT	ADMISSION DATE
<i>United States District Courts</i>	
for the District of Columbia	08/03/1992
for the District of Maryland	03/04/1996
for the Eastern District of New York	06/24/2003
for the Southern District of New York	06/24/2003
for the Northern District of New York	11/02/2022

6. My admission to any of these courts has never been terminated, and I am in good standing and eligible to practice in each.

7. I am not currently suspended or disbarred in any court.

8. I have not ever been held in contempt, otherwise disciplined by any court for disobedience to its rules or orders, or sanctioned under Fed. R. Civ. P. 11 or 37(b) or their state equivalent.

9. I have not, within the past two years, made any application to appear *pro hac vice* in this court.

10. I understand that *pro hac vice* admission in this court is personal to the attorney only and is not admission of a law firm and that the attorney will be held fully accountable for the conduct of the litigation in this court.

11. I will conduct myself in accordance with the rules and regulations governing the conduct of attorneys within the State of Montana and this Court. Specifically, I certify that contemporaneously with this filing, I have complied with Montana Rule of Professional Conduct 8.5. I understand that if I am admitted *pro hac vice*, I will be within the disciplinary authority of the State of Montana.

Under penalty of perjury, I declare the foregoing to be true and correct.

Dated this 31st day of October, 2023.



Seth D. Berlin